

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH.**

**Crl. Misc. No.M-14345 of 2019 (O&M)  
Date of Decision: September 02, 2019**

Arif

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Sanjeev Kumar, Advocate  
for the petitioner (s).

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**SURINDER GUPTA, J.(Oral)**

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 970 dated 17.09.2018 registered for the offences punishable under Sections 323, 341, 379-B, 427, 506, 201, 307 read with Section 34 of Indian Penal Code (for short IPC) at Police Station Chandni Bagh, District Panipat.

Heard.

Notice of motion.

On asking of the court, Ms. Dimple Jain, A.A.G., Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for the petitioner submits that in the FIR complainant has mentioned presence of about three persons, who tried to

snatch his car and caused him injuries. Those three persons namely Monu, Deepak and Gobind were arrested. Later on, petitioner was arrested on the disclosure statement of his co-accused Deepak but the complainant has never stated about his presence at the spot.

Learned State counsel submits that the petitioner was named in the disclosure statement of Deepak and recovery of 'wooden log' with which the injury was caused to the complainant has been effected.

The petitioner was arrested on 29.09.2018. Keeping in view the nature in the allegations in the FIR and that name of petitioner has cropped up in the disclosure statement of his co-accused, relevance of which will be looked into by the trial Court, the present petition is allowed. Petitioner-Arif is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

**September 02, 2019**  
*Jyoti-II*

**( SURINDER GUPTA )**  
**JUDGE**